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Attorney Docket No.: P-5744

## INVENTOR'S DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; that I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled SYSTEM AND METHOD FOR AUTOMATED PRESCRIPTION MANAGEMENT, the specification of which:

\_\_\_\_\_ is attached hereto; or  
X \_\_\_\_\_ was filed in the United States on \_\_\_\_\_ as Application Serial  
No. \_\_\_\_\_; or  
\_\_\_\_\_ was filed as International Application Serial Number \_\_\_\_\_ on  
\_\_\_\_\_, which application designated the United States of  
America; or  
\_\_\_\_\_ was the subject of an amendment filed in the U.S. Patent and Trademark  
Office on \_\_\_\_\_

that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 or §365(b) of any foreign application(s) for patent or inventor's certificate designated below, or under §365(a) of any application filed under the Patent Cooperation Treaty which designated at least one country other than the United States of America, and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application to which priority is claimed:

| <u>Application</u><br><u>Number</u> | <u>Country</u> | <u>Date Filed</u> | <u>Priority Claimed</u> |
|-------------------------------------|----------------|-------------------|-------------------------|
|-------------------------------------|----------------|-------------------|-------------------------|

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s) listed below or under 35 U.S.C. §365(c) of any PCT International application designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C., I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

| <u>Application Serial Number</u> | <u>Date Filed</u> | <u>Status</u> |
|----------------------------------|-------------------|---------------|
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I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below:

60/192,643  
(Application Serial Number)

March 27, 2000  
(Date Filed)

\_\_\_\_\_  
(Application Serial Number)

\_\_\_\_\_  
(Date Filed)

Direct all telephone calls to William T. Rifkin at Telephone No. 312-368-4000.

Address all correspondence to:

**Piper Marbury Rudnick & Wolfe**  
P.O. Box 64087  
Chicago, Illinois 60440-0807.


I hereby acknowledge that Piper Marbury Rudnick & Wolfe represents the assignee of the above-identified invention and does not represent me.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Attorney Docket No.: P-5744

Full Name of First Joint Inventor: Michael A. MUNOZ

Inventor's signature:

  
\_\_\_\_\_

Date:

7/11/01  
\_\_\_\_\_

Residence: United States of America

Citizenship: United States of America

Post Office Address: 204 New Haven Avenue, Apt. 2B  
Derby, Connecticut 06418

Full Name of Second Joint Inventor: Emre OKSAN

Inventor's signature:



Date:

7/11/01

Residence:

United States of America

Citizenship:

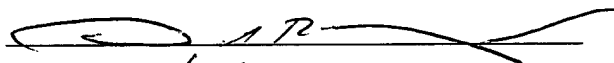
United States of America

Post Office Address:

\_\_\_\_\_  
\_\_\_\_\_

Full Name of Third Joint Inventor: David R. MUNOZ

Inventor's signature:



Date:

7/11/01

Residence:

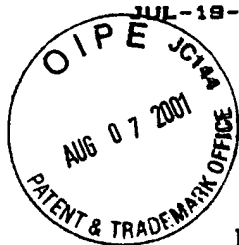
United States of America

Citizenship:

United States of America

Post Office Address:

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Munoz et al.

Serial No.: 09/818,168

Filed: March 27, 2001

For: **SYSTEM AND METHOD FOR AUTOMATED  
PRESCRIPTION MANAGEMENT**

Group Art Unit: 2167

**DECLARATION OF MICHAEL MUNOZ**Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

1. I am one of the inventors of the invention disclosed and claimed in the above-identified U.S. patent application.
2. I am employed as President of The Whittier Group of Las Vegas, Nevada.
3. On or about January 6, 2001, I approached Emre Oksan of Mount Prospect, Illinois on behalf of The Whittier Group to work with me and David Munoz, at the expense of The Whittier Group, to develop a system and method for automated prescription management.
4. Mr. Oksan executed an Assignment of Invention (attached hereto as Exhibit A) on January 6, 2000.
5. After the present invention was reduced to practice, I proceeded to have a provisional patent application prepared, with the cooperation of Mr. Oksan, on behalf of The Whittier Group. The provisional application (60/192,643) was filed on March 27, 2000.
6. Before the patent application was completed and ready for execution, Mr. Oksan left the employ of The Whittier Group. All efforts to contact Mr. Oksan to execute the application have been unsuccessful as he has moved from his last known address and has not left a forwarding address.
7. After the filing of the provisional application, I proceeded to have the above-identified non-provisional patent application prepared on behalf of The Whittier Group. The non-

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provisional patent application was filed on March 27, 2001, without a Declaration of Inventorship.

8. Most recently, The Whittier Group mailed a certified letter requesting Mr. Oksan's execution of a Declaration of Inventorship for the above-identified invention. Attached hereto is a copy of a June 10, 2001 certified letter from The Whittier Group to Mr. Oksan at his last known address, and a copy of the certified mail receipt showing that the letter was mailed to the last-known address of Mr. Oksan.

9. On May 25, 2001 the U.S. Patent Office mailed a Notice of Missing Parts, with a two month shortened statutory response period. To preserve its legitimate rights in the United States and in foreign countries and to prevent irreparable damage, The Whittier Group must immediately file a Declaration of Inventorship in the above-identified application on behalf of the unavailable inventor.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

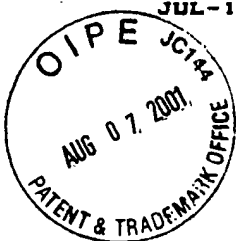
21 July 2001  
Date:

Michael A. Munoz

  
President, The Whittier Group

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**DECLARATION ON BEHALF OF UNAVAILABLE INVENTOR**

As President of The Whittier Group, to which the invention identified herein rightfully belongs, I declare that the information given herein is true, that I believe that Emre Oksan, is a joint inventor along with Michael A. Munoz and David Raul Munoz of the invention entitled **SYSTEM AND METHOD FOR AUTOMATED PRESCRIPTION MANAGEMENT** which is described in the specification of U.S. Application No. 09/818,168 filed March 27, 2001..

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim priority benefits under Title 35, United States Code, § 119(e) of the below-listed United States provisional application:

60/192,643  
(Application Serial No.)

March 27, 2000  
(Date Filed)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

NONE.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of Inventor:

Michael A. MUNOZ (On behalf of Emre Oksan)

Inventor's signature:

Date:

21 July 2001

Citizenship:

United States of America

Post Office Address:

204 New Haven Avenue, Apt. 2B  
Derby, Connecticut 06418